

**UTAH SOLID AND HAZARDOUS WASTE CONTROL BOARD
SOLID WASTE PERMIT**

CLASS I LANDFILL

Pursuant to the provisions of the *Utah Solid and Hazardous Waste Act*, Title 19, Chapter 6, Utah Code Annotated (UCA) 1953, as amended (the Act) and the *Utah Solid Waste Permitting and Management Rules*, Utah Administrative Code (UAC) R315-301 through 320 adopted thereunder,

Green River Landfill, LLC as owner, and

Landfill Investors, LLC as operator

are hereby authorized to construct and operate the Solitude Class I Landfill located Section 22, Township 21 South, Range 17 East, Salt Lake Base and Meridian, Grand County, Utah as shown in the permit application that was determined complete on August 30, 2002.

The operation of the landfill is subject to the condition that Green River Landfill, LLC and Landfill Investors, LLC (Permittees) meet the requirements set forth herein.

All references to UAC R315-301 through 320 are to regulations that are in effect on the date that this permit becomes effective

This permit shall become effective April 15, 2003.

This permit shall expire at midnight April 14, 2008.

Signed this _____ day of _____, 2003.

Dennis R. Downs, Executive Secretary
Utah Solid and Hazardous Waste Control Board

PERMIT REQUIREMENTS

NAME: Solitude Landfill

ADDRESS: Green River Landfill, LLC
4570 Westgrove Drive, Suite 240
Addison, Texas 75001
972-407-0550

TYPE OF PERMIT: Class I Landfill

PERMIT NUMBER: 0201

LOCATION: Landfill site is located in Township 21 South, Range 17 East, Section 22, SLMB; Grand County, Lat. N 38° 58' 20", Long. W 110° 1' 42"

Permit as used in this document is defined in Utah Administrative Code (UAC) R315-301-2(55).

The application as deemed complete on August 30, 2002, is hereby approved and, with the statement of basis entitled Solitude Landfill Groundwater Monitoring and Liner Exemption, is incorporated by reference into this Solid Waste Permit. All representations made in the permit application are part of this permit and are enforceable under UAC 315-301-5(2). The permit application will become part of the operating record of the Landfill. Where differences in wording exist between this permit and the application, the wording of the permit supersedes that of the application.

By this permit to own and operate, the Permittees are subject to the following conditions.

I. GENERAL COMPLIANCE RESPONSIBILITIES

A. General Operation

The Permittees shall operate the landfill in accordance with all applicable requirements of UAC R315-302 and 303, for a Class I landfill, that are currently effective unless otherwise noted in this permit. Any permit noncompliance or other noncompliance constitutes a violation of UAC R315-302 or 303 and is grounds for appropriate enforcement action, permit revocation, modification, or denial of a permit renewal application.

B. Acceptable Waste

This permit is for the disposal of nonhazardous municipal solid waste only, as defined in UAC R315-301-2(47). Acceptable waste is restricted to waste that is received under contracts approved by the Executive Secretary.

C. Prohibited Waste

No hazardous waste as defined by UAC R315-1 and R315-2, except waste specified by UAC R315-303-4(7)(a)(i)(B); or PCB's as defined by UAC R315-301-2(53), except those specified by UAC R315-315-7(2) may be accepted for treatment, storage, or disposal at the landfill. Any prohibited waste received and accepted for treatment, storage, or disposal at the facility will constitute a violation of this permit and UAC R315-303-4(7). All wastes not received under contracts approved by the Executive Secretary are prohibited.

D. Inspections and Inspection Access

The Permittees shall allow the Executive Secretary of the Utah Solid and Hazardous Waste Control Board or an authorized representative of the Board, or representatives from the Southeastern Utah District Health Department, to enter at reasonable times and:

1. Inspect the landfill or other premises, practices or operations regulated or required under the terms and conditions of this Permit or UAC R315-301 through 320;
2. Have access to and copy any records required to be kept under the terms and conditions of the Permit or UAC R315-301 through 320;
3. Inspect any loads of waste, treatment facilities or processes, pollution management facilities or processes, or control facilities or processes required under the Permit or regulated under UAC R315-301 through 320; and
4. Obtain a record of any inspection by photographic, videotape, electronic, or other reasonable means.

E. Noncompliance

1. If monitoring, inspection, or testing indicates that any permit condition or any applicable rule under UAC R315-301 through 320 may be or is being violated, the Permittees shall promptly make corrections to the operation or other activities to bring the facility into compliance with all permit conditions or rules. In the event of any noncompliance with any permit condition or violation of an applicable rule, the Permittees shall promptly take any feasible action reasonably necessary to correct the noncompliance or violation and mitigate any risk to the human health

or the environment. Actions may include eliminating the activity causing the noncompliance or violation and containment of any waste or contamination using barriers or access restrictions, placing of warning signs, or permanently closing areas of the facility. The Permittees shall: document the noncompliance or violation in the operating record, on the day the event occurred or the day it was discovered; notify the Executive Secretary of the Solid and Hazardous Waste Control Board within 24 hours, or the next business day following documentation of the event; and give written notice of the noncompliance or violation and measures taken to protect public health and the environment within seven days of Executive Secretary notification. Within thirty days of the documentation of the event, the Permittees shall submit, to the Executive Secretary, a written report describing the nature and extent of the noncompliance or violation and the remedial measures taken or to be taken to protect human health and the environment and to eliminate the noncompliance or violation. Upon receipt and review of the assessment report, the Executive Secretary may order the Permittees to perform appropriate remedial measures including development of a site remediation plan for approval by the Executive Secretary.

2. In an enforcement action, the Permittees may not claim as a defense that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with UAC R315-301 through 320 and this permit.
3. Compliance with the terms of this permit does not constitute a defense to actions brought under any other local, State, or Federal laws. This permit does not exempt the Permittees from obtaining any other local, State or Federal permits or approvals.
4. The issuance of this Permit does not convey any property rights, other than the rights inherent in this permit, in either real or personal property, or any exclusive privileges nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations including zoning ordinances.
5. The provisions of this Permit are severable. If any provision of this Permit shall be held invalid for any reason, the remaining provisions shall remain in full force and effect. If the application of any provision of this Permit to any circumstance is held invalid, its application to other circumstances shall not be affected.

F. Revocation

1. This permit is subject to revocation if any condition of the permit is not being met. The Permittees will be notified in writing prior to any proposed revocation action

and such action will be subject to all applicable hearing procedures established under UAC R315-12 and the *Utah Administrative Procedures Act*.

2. Revocation of this permit does not revoke the financial assurance established for closure and post-closure care of the facility, nor remove any responsibility for completion of closure and post-closure care for the facility required in UAC R315-302-3.

G. Attachment Incorporation

Attachments incorporated by reference are enforceable conditions of this permit, as are documents incorporated by reference into the attachments. Language in this permit supercedes any conflicting language in the attachments or documents incorporated into the attachments.

II. DESIGN AND CONSTRUCTION

A. Design and Construction

1. The Permittees shall construct the landfill cells, run-on and run-off diversion systems, and the final cover in accordance with the plans presented in the permit application and the Utah Solid Waste Permitting and Management Rules (UAC R315-301 thru 320). If ground water is encountered during excavation of the landfill, the Executive Secretary shall be notified immediately, and a contingency plan implemented or alternative construction design developed and submitted for approval.
2. The Permittees shall notify the Executive Secretary upon completion of construction of any landfill cells, or run-on and run-off diversion systems. No landfill cell or run-on and run-off diversion system may be used until as-built documents are submitted and construction is approved by the Executive Secretary.
3. The Permittees shall notify the Executive Secretary of the completion of construction of any final cover system and shall provide all necessary documentation and shall apply for approval of the construction from the Executive Secretary.
4. All engineering drawings submitted to the Executive Secretary must be stamped and approved by a professional engineer with a current registration in Utah.

B. Run-On Control

Drainage channels and diversions shall be constructed as specified in the permit application and maintained at all times to effectively prevent runoff from the surrounding area from entering the landfill.

C. Quality Assurance Construction Plan

1. A quality assurance plan for construction of the final landfill cover shall be submitted by the Permittees along with all necessary documentation to the Executive Secretary. Executive Secretary approval must be received prior to construction of any part of the final cover at the landfill.
2. A qualified third party shall perform permeability testing on the compacted clay layer of the final cover, and other testing as required by the approved Quality Assurance Plan. The results must be submitted as part of the as-built drawings to the Executive Secretary.

D. Alternative Design

This facility has demonstrated through geologic, hydrogeologic, climatic and other factors that the landfill will not contaminate ground water and is approved for the alternative design as outlined in the permit application. Any contamination of ground water resulting from operation of the landfill may result in the revocation of this alternative or equivalent design approval.

III. LANDFILL OPERATION

A. Operations Plan

The Operations Plan included in the permit application and the solid waste permit issued by the Executive Secretary shall be kept on-site at the landfill. The landfill shall be operated in accordance with the operations plan as included in the permit application. If necessary, the facility owner may modify the Operations Plan, provided that the modification meets all of the requirements of UAC R315-301 through 320 and is as protective of human health and the environment as that approved in the permit application. Any modification to the Operations Plan shall be noted in the operating record.

B. Security

The Permittees shall operate the Landfill in a manner such that unauthorized entry to the facility is prevented. All facility gates and other access routes shall be locked during the time the landfill is not open. Fencing and/or any other access controls as shown in the

permit application shall be constructed to prevent access of persons or livestock by other routes.

C. Training

Permittees shall provide training for on-site personnel in landfill operation, including waste load inspection, hazardous waste identification, and personal safety and protection.

D. Burning of Waste

Intentional burning of solid waste is prohibited and is a violation of UAC R315-303-4(2)(b). All accidental fires shall be extinguished as soon as reasonably possible.

E. Daily Cover

The solid waste received at the landfill shall be completely covered at the end of each working day with a minimum of six inches of earthen material

F. Ground Water Monitoring

This facility has demonstrated through geologic, hydrogeologic, climatic and other factors that the landfill will not contaminate ground water and the ground water monitoring requirement has been waived in accordance with R315-308-1(3). Any contamination of ground water resulting from operation of the landfill will result in the revocation of this waiver.

G. Gas Monitoring

The Permittees shall monitor explosive gases at the landfill in accordance with the Gas Monitoring Plan contained in the permit application and shall otherwise meet the requirements of UAC R315-303-3(5). If necessary, the facility owner may modify the Gas Monitoring Plan, provided that the modification meets all of the requirements of UAC R315-301 through 320 and is as protective of human health and the environment as that approved in the permit application. Any modification to the Gas Monitoring Plan shall be noted in the operating record.

If the concentrations of explosive gases at any of the facility structures, at the property boundary or beyond, ever exceed the standards set in UAC R315-303-2(2)(a), the Permittees shall immediately take all necessary steps to ensure protection of human health and notify the Executive Secretary. Within seven days of detection, place in the operating record the explosive gas levels detected and a description of the immediate steps taken to protect human health. Implementation of a remediation plan shall meet the requirements

as stated in UAC R315-303-3(5)(b) and shall be submitted to and receive approved from the Executive Secretary prior to implementation.

H. Waste Inspections

The Permittees shall visually inspect incoming waste loads, except loads that have already been inspected at a transfer station, to verify that no wastes other than those allowed by this permit are disposed in the landfill. A complete waste inspection shall be conducted at a minimum frequency of one load per week, or, if more than 100 loads per week are received, 1 % of incoming loads. Loads to be inspected are to be chosen on a random basis. The operating record must contain documentation that each load is received under a contract approved by the Executive Secretary.

All containers capable of holding more than five gallons of liquid will be inspected to determine if the waste is acceptable for disposal.

All loads that the operator suspects may contain a waste not allowed for disposal at the landfill will be inspected.

Complete random inspections shall be conducted as follows:

1. The operator shall conduct the random waste inspection at the working face or an area designated by the operator.
2. The load to be inspected will be chosen on a random basis;
3. Loads subjected to complete inspection shall be unloaded at the designated area;
4. Loads shall be spread by equipment or by hand tools;
5. A visual inspection of the waste shall be conducted by personnel trained in hazardous waste recognition and recognition of other unacceptable waste; and
6. The inspection shall be recorded on the waste inspection form found in the permit application. The form shall be placed in the operating record at the end of the operating day.

I. Disposal of Liquids

Disposal of containers of liquids larger than household size (five gallons), noncontainerized material containing free liquids, sludge containing free liquids, or any waste containing free liquids in containers larger than five gallons is prohibited.

J. Disposal of Special Wastes

Animal carcasses may be disposed at the bottom of the landfill working face and must be covered with other solid waste or earth by the end of the operating day they are received or they may be disposed in a special trench or pit prepared for the acceptance of dead animals. If a special trench is used, animals placed in the trench shall be covered with six inches of earth by the end of each operating day.

Asbestos waste shall be handled and disposed in accordance with UAC-315-315-2.

If loads of incinerator ash are accepted for disposal it shall be transported in such a manner to prevent leakage or the release of fugitive dust. The ash shall be completely covered with a minimum of six inches of material, or use other methods or material, if necessary, to control fugitive dust. Ash may be used for daily cover when its use does not create human health and environmental hazard.

K. Self Inspections

The Permittees shall inspect the facility to prevent malfunctions and deterioration, operator errors, and discharges which may cause or lead to the release of wastes or contaminated materials to the environment or create a threat to human health. These general inspections shall be completed no less than quarterly and shall cover the following areas: Waste placement, compaction, and cover; fences and access controls; roads; run-on/run-off controls; final and intermediate cover; litter controls; and records. A record of the inspections shall be placed in the daily operating record on the day of the inspection. Areas needing correction, as noted on the inspection report, shall be corrected. The corrective actions shall be documented in the daily operating record.

L. Recordkeeping

The Permittees shall maintain and keep on file at the office of the Salt Lake City, Utah contact person, a daily operating record and other general records of landfill operation as required by UAC R315-302-2(3)

1. The daily operating record shall include the following items:
 - a. The number of loads of waste and the weights or estimates of weights or volume of waste received each day of operation and recorded at the end of each operating day;
 - b. Major deviations from the approved plan of operation recorded at the end of the operating day the deviation occurred;

- c. Results of other monitoring required by this permit recorded in the operating record on the day of the event or the day the information is received;
 - d. Records of all inspections conducted by the Permittees, results of the inspections, and corrective actions taken shall be recorded in the record on the day of the event;
- 2. The general record of landfill operations shall include the following items:
 - a. A copy of the permit including the permit application;
 - b. Results of inspections conducted by representatives of the Utah Solid and Hazardous Waste Control Board and/or representatives of the Southeastern Utah District Health Department, when forwarded to the Permittees;
 - c. Closure and Post-closure care plans;
 - d. Records of employee training; and
 - e. Results of landfill gas monitoring.

M. Reporting

The Permittees shall prepare and submit, to the Executive Secretary, an Annual Report as required in UAC R315-302-2(4). The Annual Report shall include: the period covered by the report, the annual quantity of waste received, an annual update of the financial assurance mechanism, the results of gas monitoring, and all training programs completed.

N. Roads

All access roads, within the landfill boundary, used for transporting waste to the landfill for disposal shall be improved and maintained as necessary to assure safe and reliable all-weather access to the disposal area.

IV. CLOSURE REQUIREMENTS

A. Closure

Final cover of the landfill shall be as shown in the permit application. The final cover shall meet at a minimum the standard design for closure as specified in the UAC (R315-

303-3(4)) plus sufficient cover soil or equivalent material to protect the low permeability layer from the effects of frost, desiccation, and root penetration. A quality assurance plan for construction of the final landfill cover shall be submitted to, and approval of the plan must be received from the Executive Secretary prior to construction of any part of the final cover at the landfill. A qualified third party shall perform permeability testing on the recompacted clay placed as part of the final cover. The Permittees shall also meet the requirements of UAC R315-302-2(6) by recording with the Grand County Recorder as part of the record of title that the property has been used as a landfill.

B. Post-Closure Care

The post-closure care at the closed landfill shall be done in accordance with the Post-Closure Care Plan contained in the permit application until the closed landfill has become stabilized and the conditions of UAC R315-302-3(7)(c) have been met.

C. Financial Assurance

1. The approved mechanism, as described in the permit application, shall be established by the Permittees prior to receipt of waste. An annual revision of closure costs and financial assurance funding shall be submitted to the Executive Secretary as part of the annual report. The financial assurance fund shall be adequately funded to provide for the cost of closure at any stage or phase or anytime during the life of the landfill.
2. The Permittees shall notify the Executive Secretary of the establishment of the approved financial assurance mechanism and must receive acknowledgment from the Executive Secretary that the established mechanism complies with the approved method.

V. ADMINISTRATIVE REQUIREMENTS

A. Permit Modification

Modifications to this permit may be made upon application by the Permittees or by the Executive Secretary. The Permittees will be given written notice of any permit modification initiated by the Executive Secretary.

B. Permit Transfer

This permit may be transferred to a new Permittees by meeting the requirements of the permit transfer provisions of UAC R315-310-10.

C. Expansion

1. This permit is for the operation of a Class I Landfill according to the design and Operation Plan described and explained in the permit application. Any expansion of the current footprint designated in the description contained in the permit application, but within the property boundaries designated in the permit application, will require submittal of plans and specifications to the Executive Secretary. The plans and specifications must be approved by the Executive Secretary prior to construction.
2. Any expansion of the landfill facility beyond the property boundaries designated in the description contained in the permit application will require submittal of a new permit application in accordance with the requirements of UAC R315-310.
3. Any expansion of the waste accepted at the landfill facility will require submittal of all necessary information to the Executive Secretary and the approval of the Executive Secretary. Acceptance for PCB bulk product waste under UAC R315-315-7(3)(b) can only be done after submittal of the required information to the Executive Secretary and modification of Section I-C of this permit.

D. Expiration

This permit shall expire five years from the effective date which is the date shown on the signature (first) page of this permit. Application for permit renewal shall be made at least 180 days prior to the expiration of this permit. If a timely renewal application is made and the permit renewal is not complete by the expiration date, this permit will continue in force until renewal is completed or denied.

E. Status Notification

Eighteen months from the date of this permit the Executive Secretary shall be notified in writing of the status of the construction of this facility unless construction is complete and operation has commenced. If construction has not begun within 18 months the Permittees will submit adequate justification to the Executive Secretary as to the reasons that construction has not commenced. If no submission is made or the submission is judged inadequate by the Executive Secretary, this permit will be revoked

F. Construction Approval and Request to Operate

The Permittees shall notify the Executive Secretary, prior to acceptance of waste, that all the requirements of this permit have been met and all required facilities, structures and accounts are in place as required. The facility may not accept waste until approval of the Executive Secretary is received.

G. Contract Approval

The Permittees must receive waste only from local governments that have contracts with the facility owner. All contracts and changes in existing contracts must be reviewed and receive approval from the Executive Secretary prior to receipt of waste.